

REMARKS

In the Office Action mailed on February 27, 2003, an objection was made to claims 8-12 for claim informalities. Claims 15-18, 20-21, and 25-26 were rejected under 35 U.S.C. § 112, second paragraph. In addition, claims 1-18 were rejected under 35 U.S.C. §102(e) over *Jammes et al* (U.S. Patent No. 6,484,149). Finally, claims 19-26 were rejected under 35 U.S.C § 103(a) over *Jammes* in view of *Larson* (U.S. Patent No. 6,115,705).

Claim 8 has been amended to correct an informality and claims 15-18, 20-21 and 25-26 have been amended to correct a clerical error. The amendments were not made to overcome any prior art and do not narrow the scope of the claims. Claims 1-26 remain pending in the application. Reconsideration and withdrawal of the objection and rejections is respectfully requested in light of the amendment and remarks that follow.

A. Objection to Claims 8-12 is Addressed.

Claims 8-12 were objected to because claim 8 does not end with a period. Claim 8 has been amended to include a period at the end of the claim and withdrawal of the objection is hereby requested.

B. Rejection Under 35 U.S.C. § 112 is Addressed.

Claims 15-18, 20-21 and 25-26 were rejected under 35 U.S.C. § 112, second paragraph for a clerical error that had system claims depending from a method claim. The claims have been amended to replace "system" with - - method- -. Accordingly, withdrawal of the rejection is hereby requested.

C. Rejection Under 35 U.S.C. § 102(e) is Addressed.

Claims 1-18 were rejected under 35 U.S.C. §102(e) over *Jammes et al* (U.S. Patent No. 6,484,149). A rejection under § 102 requires that, in a single reference, "[t]he identical invention must be shown in as complete detail as is contained in the . . . claim." See *Richardson v. Suzuki Motor Co.*, 868 F.2d

1226, 1236 (Fed. Cir. 1989); *see also* MPEP § 2131. *Jammes* does not meet this requirement because it is limited to an ISAPI query application that simply routes a database query to one of many databases, while the present invention includes formatting database queries to work with a particular database.

In the present invention, a database interface function takes database queries written for one type of database and submits the query to another type of database in the format required by that database. See specification, page 3, lines 2-6. This allows an application to work with different types of databases without rewriting the application for each new type of database. See specification, page 2, lines 20-24.

In contrast, *Jammes* describes an "ISAPI query application" that uses an "identifier parameter" in the database query to route the query to one of many databases. See col. 18, lines 44-47. Hence the query application in *Jammes* merely routes a database query to a database, and the reference neither describes nor suggests formatting the query to work with a particular type of database.

For a valid rejection under § 102(e), each and every element of claims 1-18 must be found in *Jammes*. See *Verdegaal Bros. v. Union Oil Company of California*, 814 F.2d 628, 631 (Fed. Cir. 1987); *see also* MPEP § 2131. Because *Jammes* and the present invention are so different, the reference lacks a number of elements found in the claims. For example, independent claims 1, 8 and 13 include a query lookup table that contains queries that are formatted in accordance with the syntax required by the database. See claim 1, lines 7-8; claim 8, lines 9-10; and claim 13, lines 9-11.

The Office attempts to equate the query lookup table with a two-dimensional array in *Jammes* that associates query names (called "store name values") with database identifiers. See Office Action, page 3, lines 12-13; *see also Jammes*, col. 18, lines 48-60. In fact, the array in *Jammes* only

contains information that links the name of a database query to one of many databases, but does not contain any database queries itself. This reflects the fact that the array in *Jammes* is merely used to route queries to databases and not to format the queries so that they are understood by a particular type of database. Hence at least this element of independent claims 1, 8 and 13 is not present in *Jammes*, and withdrawal of the rejection of claims 1-18 under 35 U.S.C. § 102(e) over *Jammes* is requested.

D. Rejection Under 35 U.S.C. § 103(a) is Addressed.

Claims 19-26 were rejected under 35 U.S.C § 103(a) over *Jammes* in view of *Larson* (U.S. Patent No. 6,115,705). A valid rejection under § 103(a) requires that a combination of prior art references must teach or suggest all the claim limitations. See MPEP §2142.

Independent method claims 19 and 22 include a step of locating, in the query lookup table, a selected one of the queries corresponding to said one of said data access requests received from the application program. See claim 19, lines 11-13; and claim 22, lines 14-16. As noted above, *Jammes* neither describes nor suggests a query lookup table that contains queries that are formatted in accordance with the syntax required by the database.

Moreover, neither the partition table nor the hash table (also called the "match lookup table") described in *Larson* provides this missing element. *Larson* describes these tables as holding entries that contain a chain of pointers to individual data records. See *Larson*, col. 6, lines 13-21. There is nothing in *Larson* that describes or suggests that these tables contain queries that are formatted in accordance with the syntax required by a database. Thus, the combination of *Jammes* and *Larson* do not describe or suggest at least this element of claims 19-26. Accordingly, withdrawal of the rejection of claims 19-26 under 35 U.S.C. § 103(a) over *Jammes* in view of *Larson* is requested.

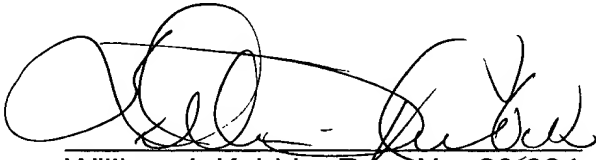
E. Conclusion

In view of all of the above, claims 1-26 are believed to be allowable and the case in condition for allowance, which action is respectfully requested. Should the Examiner be of the opinion that a telephone conference would expedite the prosecution of this case, the Examiner is requested to contact our office at the telephone number listed below.

No fee is believed to be required by this response. Should any additional fees be required, please charge Deposit Account 50-1123. Should any extension of time be required, please consider this a petition therefore and charge the required fee to Deposit Account 50-1123.

Respectfully submitted,

31 X / mca 2003
Date


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